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REMARKS

Claims 1-23 are pending.
Claims 1-23 stand rejected.
Claims 1-3, 7, 10, 16 and 20 have been amended.
Claims 24 and 25 are new.
Reconsideration of claims 1-25 is requested.

Claims 1-23 stand rejected under 35 U.S.C. 103(a) according to Raasch (U.S. Patent No. 6,690,776 B1) in view of Takagi et al. (U.S. Patent No. 6,426,946 B1).

The Applicant has amended claims 1-3, 7, 10, 16 and 20 to more clearly recite other novel aspects and to facilitate bringing this case to allowance.

For example, claim 1 recites a device comprising...one or more processors coupled with the telephone port, wherein the one or more processors:

- ...store an individualized hold timeout time limit associated with a user profile prior to establishing the modem connection;
- exchange data over the modem connection wherein the data includes a user attribute; and
- retrieve the individualized hold timeout time limit for the user profile associated with the user attribute.

Raasch describes a controller that places a communication session in an on-hold state for a period of time and indicates a status of the on-hold state (Abstract). Raasch does not teach the use of a user profile, as admitted to by the Examiner. Furthermore, Raasch does not disclose storing or retrieving an individualized hold timeout time limit associated with a user profile prior to establishing the modem connection. Rather, Raasch discloses negotiating a hold period "at the initial training or any other time after a communication session has been established" (col. 10, lines 58-65).

Takagi describes a pre-communication protocol based on a stored communication parameter that eliminates the time needed for communication handshaking (Abstract). "A data apparatus which shortens the time needed for a pre-communication protocol that is carried out prior to actual communication" (col. 1, lines 4-8) does not suggest an individualized hold timeout limit associated with a user profile. The "training time" (col. 2, lines 38-42) that is shortened or limited in Takagi is unrelated to a time limit that a modem is placed in a hold session.

Neither Raasch nor Takagi disclose the novel features of storing and retrieving an individualized hold timeout time limit associated with a user profile. Therefore, claim 1 is allowable based on these and other recited novel features.

Independent claims 2, 7, 10, 16 and 20 have been amended to include or store a time limit, and are allowable for the same or similar reasons as claim 1.

Claim 16 has amended to recite means for storing a predefined system response associated with a user profile prior to establishing a modem connection. Claim 20 has been amended to recite instructions for storing a predefined session response associated with a modem specification prior to establishing the modem session. Neither Raasch nor Takagi disclose storing a predefined response associated with a user profile or modem specification.

Previously presented claim 13 recites a method comprising:

- ...determining an individualized modem on hold timeout limit associated with the user identification;
- establishing a non modem communication session over the phone line; and
- terminating either the non modem communication session or the modem communication session at the conclusion of the individualized modem on hold timeout limit according to a user profile.

Neither Raasch nor Takagi disclose an individualized modem on hold timeout limit associated with the user identification and terminating a session according to a user profile. Claim 13 is believed to be allowable according to these and other recited novel features.

For the foregoing reasons, reconsideration and allowance of claims 1-25 of the application as amended is requested. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

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